

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

vs

Case No. 3: 07-CR-92(2)  
Judge Thomas M. Rose

RONALD HAMPTON, JR.

Defendant

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ENTRY AND ORDER GRANTING MOTION FOR RELIEF (DOC. 209)

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This matter comes before the Court pursuant to Defendant's Motion for Relief from Order (Doc. 209) filed August 1, 2016.

The Defendant's Motion was brought pursuant to Federal Civil Rule 60(b)(6). There was no response filed by the Government.

After review of the Court's record the Court finds the Motion well-founded. Originally the Court did as part of its calculation of the sentencing guideline grant a one (1) level reduction pursuant to Guideline 5K.1.1 in arriving at its original offense level. In its reconsideration pursuant to Amendment 782 and its Entry and Order (Doc. 207) filed June 20, 2016, the Court inadvertently omitted this adjustment in arriving at its new offense level. Further, pursuant to *Dorsey v. United States*, 132 S. Ct. 2321 (2012), the Court has previously held that Defendant's mandatory minimum has lowered from 10 years to 5 years, for this pre-act offense and post-act sentencing. Therefore the Court would modify its previous order (Doc. 207).

Applying this adjustment would result in a total offense level of 26 rather than 27. As a result, the Court would find an advisory range of 92 to 115 months.

Pursuant to the Court's previous reasoning and this new advisory range, the Court finds the sentence that meets the goals of sentencing but not more than necessary is 110 months.

IT IS SO ORDERED.

September 21, 2016

\*s/Thomas M. Rose

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Thomas M. Rose, Judge  
United States District Court